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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/772,322	02/06/2004	Cheng-Chieh Liu	0941-0911P	6485
2292	7590	03/18/2005	EXAMINER LE, DANG D	
BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			ART UNIT 2834	PAPER NUMBER

DATE MAILED: 03/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/772,322

Applicant(s)

LIU ET AL.

Examiner

Dang D. Le

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 January 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 1/13/05 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 1/13/05 have been fully considered but they are not persuasive. The applicant's argument is on the ground that "the seat is mounted directly mounted on a base". It is noted that the claim does not include the word "directly". It is noted that the base could be called the circuit board and the circuit board could be called the base. The claims do not identify these two components. It is also noted that "a seat" is a broad term which could be anything that support an object or a person. In Hoover et al., the seat is the main body (98) mounted directly on the base (84). The seat has a slot (Figure 3) to secure the controller (108). In Doemen et al., the seat is component (65) mounted directly on the base (28), which can be called as a circuit board.

The rejections are still deemed proper and repeated hereinafter.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 8, and 17 are rejected under 35 U.S.C. 102(b) as being anticipated by Hoover et al. (4,910,420).

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Regarding claim 1, Hoover et al. shows a seat (Figure 3) for mounting a motor controller (108) for a heat-dissipating device (54) having a base (84), comprising a main body (98) mounting on the base (84) of the heat-dissipating device and having a slot (near 116) to secure the motor controller.

Regarding claim 8, Hoover et al. also shows a heat-dissipating device, comprising:

- A base (84);
- A stator (72) disposed on the base;
- A rotor (54) surrounding the stator and coupled to the stator;
- A motor controller (108) driving and controlling the heat- dissipating device;
- and
- A seat (110) mounted on the base (with 96 to 98) and having a slot (near 116) to secure the motor controller.

Regarding claim 17, Hoover et al. also shows a heat-dissipating device, comprising:

- A base (84);
- A stator (72) disposed on the base;
- A rotor (54) surrounding the stator and coupled to the stator;
- A motor controller (108) driving and controlling the heat- dissipating device;
- and
- A seat (110) mounted on the stator (with 104 to 148) and having a slot (near 116) to secure the motor controller.

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4. Claims 1-25 are rejected under 35 U.S.C. 102(b) as being anticipated by Doemen et al. (4,482,849).

Regarding claim 1, Doemen et al. shows a seat (Figures 1, 5, 6, 8 and 9) for mounting a motor controller (30, 59) for a heat-dissipating device (40) having a base (28), comprising a main body (65) mounting on the base (28) of the heat-dissipating device and having a slot (62) to secure the motor controller.

Regarding claim 8, Doemen et al. also shows a heat-dissipating device, comprising:

- A base (28);
- A stator (10) disposed on the base;
- A rotor (40) surrounding the stator and coupled to the stator;
- A motor controller (30, 59) driving and controlling the heat- dissipating device;
- and
- A seat (54) mounted on the base (56) and having a slot (62) to secure the motor controller.

Regarding claim 17, Doemen et al. also shows a heat-dissipating device, comprising:

- A base (28);
- A stator (10) disposed on the base;
- A rotor (40) surrounding the stator and coupled to the stator;
- A motor controller (30, 59) driving and controlling the heat- dissipating device;
- and

- A seat (54) mounted on the stator (through pins 15, 17 and base 28) and having a slot (62) to secure the motor controller.

Regarding claims 2-7, 9-16, and 18-23, it is noted that Doemen et al. also shows all of the limitations of the claimed invention.

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Information on How to Contact USPTO

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dang D Le whose telephone number is (571) 272-2027. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Darren Schuberg can be reached on (571) 272-2044. The fax phone

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number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

3/16/05

A handwritten signature in black ink, appearing to read "Dangle", written in a cursive style.

DANGLE
PRIMARY EXAMINER